zoning map ordinance no. z-26-8/

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FORT WAYNE, INDIANA:

AN ORDINANCE amending the City of

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF

Fort Wayne Zoning Map No. M-34.

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974:

Part of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the South right of way line of Washington Center Road, said point being 40 feet South and 400 feet West of the Northeast corner of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana; thence South and parallel to the East line of the NE 1/4 of Sec. 23-31-12 a distance of 579.0 feet; thence West with a deflection angle to the right of 90 degr. 19 min. 40 sec. and parallel to the North line of the NE 1/4 of Sec. 23-31-12 a distance of 301.97 feet; thence North with a deflection angle to the right of 89 degr. 52 min. 00 sec. a distance of 579.0 feet to a point on the South right of way line of Washington Center Road, said point being 40 feet South of the North line of the NE 1/4 of Sec. 23-31-12; thence East with a deflection angle to the right of 90 degr. 08 min. 00 sec. and parallel to the North line of the NE 1/4 of Sec. 23-31-12 a distance of 300.0 feet to the point of beginning, containing 4.0 acres.

and the symbols of the City of Fort Wayne Zoning Map M-34, referred to therein, established by Section 33-11 of said Chapter are hereby changed accordingly.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM AND LEGALITY JULY 10, 1981.

SRICE O. BOXBERGER, CITY ATTORNEY

Ja Sunta COUNCILMAN

Read the fi seconded by by title and refe Plan Commission of due legal notice Indiana, on	erred to the cor recommend at the cour	cii Cnamb the	ers, City-Cou	read the	second time and the City held after ng, Fort Wayne, day of
DATE:	2-14-81	-19 ,	CHARLES W. I		M., E.S.T.
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SCHMIDT, D.	/				
SCHMIDT, V.	_/				
SCHOMBURG	_/				
STIER	_/_/				
TALARICO					
DATE:	8-11-81		CHARLES W. W	M. 41.	CITY CLERK
Passed and	adopted by t	he Common	Council of th	e City of	Fort Wayne,
Indiana, as (ZONI	NG MAP) (G	ENERAL)	(ANNEXATION)	(SPECIAI	<u>.</u>)
(APPROPRIATION) O	RDINANCE (RESOLUTION	I) No. ~	-26-	8/
on the 11 Th	day o	f a	unist	, 19 \$	
CHARLES W. WESTER	ATT	EST:	(SEAL)	res Shi	her
Presented b	y me to the	Mayor of t	he City of Fo	rt Wayne,	
25 / 1 3 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	day of	V	19 F1	, at the	hour of
The state of the s	· ·		CHARLES W. W	LU-U ESTERMAN -	CITY CLERK
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19 $\mathcal{S}/$, at the h	our of3	":" acs o			
			WINFIELD C. MAYOR	MOSES, JR.	<i>.</i>

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BILL NOZ-81-07-14 \	
	MITTEE ON REGULATIONS
REPORT OF THE COM	MITTEE ON
WE, YOUR COMMITTEE ON Regulations	TO WHOM WAS REFERRED AN
ORDINANCE amending the City of For	rt Wayne Zoning Map No. M-34
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HAVE HAD SAID ORDINANCE UNDER CONSID	EPATION AND BEG LEAVE TO REPORT
	7
BACK TO THE COMMON COUNCIL THAT SAID	ORDINANCE PASS.
MARK E. GiaQUINTA, CHAIRMAN	Mark & Cracunty
× ,	
SAMUEL J. TALARICO, VICE CHAIRMAN	
0 * *	21. H. Sel 1/2
VIVIAN G. SCHMIDT	Vivian & Alhmidt
JAMES S. STIER	Jun lother
orallo o, oralla	
DONALD J. SCHMIDT	U Silmil
	8 -//-8./ CONCURRED IN
	DATECHARLES W. WESTERMAN, CITY CLF



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802 city plan commission

31 July 1981

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held July 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

- 1. Bill No. Z-81-07-14
- 2. From RB to B-1-B
- 3. Intended Use: Family Restaurant
- 4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: Conditions in the area have changed since the original zoning was established, there have been three Interchange Access Districts approved at the intersection of Washington Center Road and Coldwater Road. This request represents a logical extension of the present commercial development.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten Senior Planner

GFB:pb

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14,1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-07-14; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

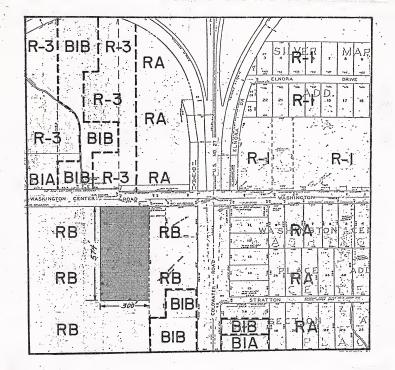
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 27, 1981.

Certified and signed this 31st day of July 1981.

Dennis J. Grotrian Secretary

6/4 1981 No. 15965 RECEIPT Date ___ Received from Marten & M. Lodenbelle 5321 Coldwater 2d __ Dollars \$50.00



ZONING RECLASSIFICATION FROM AN RB TO A BIB DISTRICT.

Z-81-07-19 MAP NO. M-34

BY G.R. LAX 6-12-81

CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

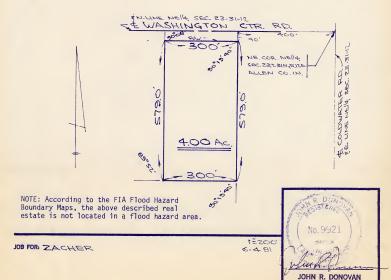
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA REGISTERED LAND SURVEYOR No. 9921 INDIANA FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, A LAND

The description of the real estate is as follows, to wit part of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the South right of way line of Washington Center Road, said point being 40 feet South and 400 feet West of the Northeast corner of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana; thence South and parallel to the East line of the NE½ of Sec. 23-31-12 a distance of 579.0 feet; thence West with a deflection angle to the right of 90 degr. 19 min. 40 sec. and parallel to the North line of the NE½ of Sec. 23-31-12 a distance of 301.97 feet; thence North with a deflection angle to the right of 89 degr. 52 min. 00 sec. a distance of 579.0 feet to a point on the South right of way line of Washington Center Road, said point being 40 feet South of the North line of the NE½ of Sec. 23-31-12; thence East with a deflection angle to the right of 90 degr. 08 min. 00 sec. and parallel to the North line of the NE½ of Sec. 23-31-12 a distance of 300.0 feet to the point of beginning, containing 4.0 acres.



egal Description of property	to be rezoni	ng	
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wners of Property			
× × ×			
(Name)	(Address &	: Zip Code)	(Signature)

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-81-07-14
DEPARTMENT REQUESTING ORDINANCE_Long Range Planning & Zoning - CD&P
SYNOPSIS OF ORDINANCE A 4.0 Acre tract of land approximately 579'+ x 300'+
located 400' west of the centerline of Coldwater Road and lying south of the
south right-of-way of Washington Center Road.
,
EFFECT OF PASSAGE Property is now zoned RB - Suburban Residential. Property will become B-1-B - Limited Business.
EFFECT OF NON-PASSAGE Property will remain RB - Suburban Residential.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)
ASSIGNED TO COMMITTEE (J. N.)



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

charles w. westerman, clerk -:- room 122

August 14, 1981

Ms. Virginia Grace Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of August 19, 1981 and August 26, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana

Zoning Map Ordinances:

Bill No. Z-81-07-14 Zoning Map Ordinance No. Z-26-81

Bill No. Z-81-07-16 Zoning Map Ordinance No. Z-27-81

Please send us (8) eight copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Parles W. Westerman

City Clerk

CWW/ne ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 11th day of August, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-07-14 -- Zoning Map Ordinance No. Z-26-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

Notice is hereby given that on the 11th day of August, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. z-81-07-16 — Zoning Map Ordinance No. z-27-81, being AN ORDINANCE amending the City of Fort Wayne Zoing Map No. $\kappa-18$

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-81-07-14 — Zoning Map Ordinance No. Z-26-81 and Bill No. Z-81-07-16 — Zoning Map Ordinance No. Z-27-81, were passed by the Common Council on the 11th day of August, 1981, said Ordinances were signed and approved by the Mayor on the 13th day of August, 1981, and remains on file and on record in my office.

Copies of Bill No. Z-81-07-14 -- Zoning Map Ordinance No. Z-26-81 and Bill No. Z-81-07-16 -- Zoning Map No. Z-27-81 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-07-14 -- Zoning Map Ordinance No. Z-26-81 and Bill No. Z-81-07-16 -- Zoning Map No. Z-27-81 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Charles W. Westerman City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on August 19, 1981.

Charles W. Westerman

City CLerk.



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING . ONE MAIN STREET . FORT WAYNE, INDIANA 46802

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de W. Westermen

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Charles W. Westerman City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on August 19, 1981.

Charles W. Westerman

City CLerk

Form Prescribed by State Board of Accounts		Ge	eneral Form No. 99 P(Rev. 1967)	
Fort Wayne Common Council		ToNEWS-SEN	ToNEWS-SENTINEL Dr.	
(Governmental Unit)				
Allen	ounty, Ind	FORT WAYNI	E, INDIANA	
	PUBLIS	HER'S CLAIM		
NE COUNT		CATALON A CONTRA		
Display Matter (Must not excee of the type in which the	ed two actual lines, neither body of the advertisement	of which shall total more than four solid lines is set) – number of equivalent lines		
Head number of lines			68	
Body number of lines				
Tail number of lines			2	
Total number of lines	in notice			
OMPUTION OF CHARGES				
70lines,1	columns wide equals.	7.0 equivalent lines at 276¢	, 19.32	
Additional charge for notices co	ntaining rule or tabular wo	rk (50 per cent of above amount)		
Charge for extra proofs of publi	cation (50 cents for each pro	oof in excess of two) 6 extra	3.00	
TOTAL AMOUNT O			, 22.32	
ATA FOR COMPUTING COST				
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Number of insertions2	Si	ize of quad upon which type is cast		
ursuant to the provision and penalties of Ch.	89., Acts 1967.			
hereby certify that the foregoing account is just been paid.	ist and correct, that the amo	ount claimed is legally due, after allowing all just cre	edits, and that no part of the sam	
Aug. 26 ₁₉ 81		TitleCI	LERK	
Form 903	State of Indiana	IER'S AFFIDAVIT		
	ALLEN County SS: Personally appeared	before me, a notary public in and for	said county and state, the	
	undersigned	D. ROOSE	who, being duly sworn, sa	
		CLERK SENTINEL		
		ILY newspaper of general		
splically directed to the following named Defendant whose address		in the city of FORT WAYNE, INDIA		
BYE TOO-102, In the Office of the Recorder of Allen County, Indiana. The Summons, by publication, is		aforesaid, and that the printed matter atta		
City of Fort Wayne, Indiana ac- cording to the plat thereof, recorded in Plat Record 29, Pages	which was duly publish	ed in said paper for two times	,the dates of publication being	
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Chy Oran mine Dead Chy Oran Manager Service and Chy Oran Manager Service and Chy Oran Chy Ora		2 2		
You are notified that you have been sued in the Court named above.		D Stoo	STATE TO SHE A	
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(2) The Journal of the Common		Ginne The	Pikins	
	My commission expires	November 29, 1981	1-1,4137 0	
CHARLES W. WESTERMAN, City Clark I, Charles W. Westermen, Clark				

8-19-26

Form Prescribed by State Board of	Accounts		General Form No. 99 P (Rev. 196)		
Fort Wayne Co	mmon Council	To JOURNA	ToJOURNAL-GAZETTE D		
(Governmental U	nit)	10 mmmm grant or not			
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70 lines,	1 columns wide equals	s 70 equivalent lines at . 276¢	19.32		
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No. Z-81-07-14 — Zoning Mep Or- dinence No. Z-28-81, being AN	and the second control of the second	and the state of t			
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the 11th dey of August, 1981, the Common Council of the City of Fort Weyne, Indiane in Regular		aprilla	De Yald		
Session did pess the following Bill No. Z-81-07-16 — Zoning Mep Or- dinence No. Z-27-81, being AN		Title	CIEBK		
Fort Wayne Zoning Mep No. K-18. I, Cherles W. Westerman, Clerk of the City of Fort Wayne, Indiene		1 itle	CALICA		
do hereby certify that Bill No. Z- 81-07-14 — Zoning Mep Ordi- nence No. Z-26-81 and Bill No. Z-	PUBLISH State of Indiana	HER'S AFFIDAVIT			
81-07-16 — Zoning Map Ordi- nance No. Z-21-81, were passed by the Common Council on the	ALLEN County SS:	before me, a notary public in and fo	and company and comes about		
dinances were signed end ep- proved by the Mayor on the 13th		ARVILLA DEWALD			
on file end on record in my office. Copies of Bill No. Z-81-07-14 —	that she is	CLERK			
Zoning Mep Ordinence No. Z-28- 81 and Bill No. Z-81-07-16 — Zon- ing Mep No. Z-27-81 will be posted		IL-GAZETTE			
for reading in the following places in Fort Weyne, Allen County, Indi-		ALLY newspaper of gene			
(1) The main floor of the City- County Building	in the English language	e in the city of FORT WAYNE, IND	IANA		
County Building (2) The bulletin board in the lobby of Downtown Fort Weyne Public Library	E in state and county	aforesaid, and that the printed matter a	trached hereto is a true copy.		
Public Library (3) The bulletin board in the lobby at the Eest door of the Alien County Court House	 which was duly publish 	ned in said paper for two times	,the dates of publication being		
County Court House Copies of Bill No. Z-81-07-14 Zoning Mep Ordinence No. Z-28 81 end Bill No. Z-81-07-16 — Zon- ing Mep No. Z-27-81 will be avail- eble for reading in the following pleces in Fort Weyne, Allen County, Indiene.	as follows: 8/1	9 - 8/26/81	Control of the Contro		
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pleces in Fort Weyne, Allen County, Indiene.	1	(livis)	Do Hald		
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Council Proceedings in the Office of the City Clerk of Fort Weyne,		Canne. Du	(Serkins)		
CHARLES W. WESTERMAN,		November 29, 1981	ar Public (1)		
I, Cherles W. Westermen, Clerk of the City of Fort Weyne, Indiene,	My commission expires				
I, Cherles W, Westermen, Cierk of the City of Fort Weyne, Indiene, fulfilled and posted the ebove ordinances in the designated pleose setted on August 19, 1981. CHARLES W. WESTERMAN, City Clark					
CHARLES W. WESTERMAN, City Clerk					

Form Prescribed by State Board of Accou	nts		General Form No. 99 P (Rev. 1967		
Fort Wayne Commo	on Council	то	ToJOURNAL-GAZETTE		
(Governmental Unit)					
Allen	County, Ind.	FOR	T WAYNE, INDIANA		
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Head number of lines					
Body number of lines			68		
Tail number of lines			2		
Total number of	f lines in notice		70		
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I hereby certify that the foregoing account has been paid.	t is just and correct, that the ame	ount claimed is legally due, after allowin	g all just credits, and that no part of the sam		
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Date Aug. 25 19 81		The seed of the se	CLERK		
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Form 904	PUBLISH State of Indiana	ER'S AFFIDAVIT			
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Kroft, Assorted Varieties Squeeze-A-Snack Cl		L-GAZETTE	or the		
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Hraft E	in state and county	aforesaid, and that the printed m	natter attached hereto is a true copy,		
Flour Torfillas		d in said paper for	Sthe dates of publication being		
LILLIAMISTALANII 120	as follows: 8/19	- 8/26/81			
81 end Bill No. 2-81-07-16 — Zon- ing Mep No. 2-27-81 will be evail- eble for reading in the following places in Fort Wayne, Alten County, Indiene.					
plecee in Fort Weyne, Alten County, Indiene.		().	11 1 11		
	Subscrib-11	26th	August 2 81		
north end of the main floor in said Downtown Public Library (2) The Journel of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiene	Subscribed and sworn to	betore me thisdaylot	m (X 5: -)		
		Comme	Notar Bablic		
I, Cheries W. Westermen, Clerk of the City of Fort Wayne, Indeen	My commission expires	November 29, 19	81		

the designeted pleces as August 19, 1981. ARLES W. WESTERMAN, City Clerk